

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DARLINGTON )

IN THE COURT OF COMMON PLEAS  
FOURTH JUDICIAL CIRCUIT  
CASE NO.

Thomas Vick Vause,  
  
Plaintiff,

—vs—

U.S. Xpress, Inc.,  
  
Defendant.

## SUMMONS

**PLAINTIFF DEMANDS JURY TRIAL**

**YOU ARE HEREBY SUMMONED** and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint upon the Plaintiff or his attorney, John W. Bledsoe, III, at his office, 325 West Home Avenue, Hartsville, SC 29550, within thirty (30) days after the service hereof, exclusive of the date of such service, and if you fail to answer the Complaint within the time aforesaid, the Plaintiff will apply to the Court for the relief demanded in the Complaint.

### BLEDSON LAW FIRM

s/ John W. Bledsoe, III

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Attorney for the Plaintiff  
S.C. Bar No. 734  
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Hartsville, South Carolina  
May 3, 2019

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IN THE COURT OF COMMON PLEAS  
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## COMPLAINT

**PLAINTIFF DEMANDS JURY TRIAL**

The Plaintiff complaining of the Defendant, alleges as follows:

1. The Plaintiff is a citizen and resident of the County of Chesterfield, State of South Carolina.
2. Upon information and belief, the Defendant is a corporation, organized and incorporated in the State of Tennessee and doing business in the Parish of Tangipahoa, State of Louisiana.
3. On or about May 8, 2018, Plaintiff was the driver of the vehicle owned and operated by himself, traveling eastbound on I-12 at Milepost 35 in Tangipahoa Parish, Louisiana when Defendant's driver, Mauridi Kiloza, attempted to pull out from the weigh station exit lane, failing to yield, pulling back onto I-12 in the right lane, causing the Plaintiff's vehicle to strike the Defendant's vehicle in the rear, resulting in personal injuries to the Plaintiff.
4. The aforesaid accident and the resulting injuries to Plaintiff were caused directly and proximately by one or more of the following negligent, grossly negligent, careless, reckless, willful, wanton, and unlawful acts, and/or omissions of the Defendant in the following particulars:
  - a) In failing to take any evasive action, by any means, to keep from striking the turning vehicle;

- b) In failing to keep a proper lookout, to observe the road and traffic conditions and/or to monitor the movement of traffic around him and respond accordingly;
- c) In operating his vehicle without using due care and without regard for the safety and rights of the public using the highway and the Plaintiff in particular;
- d) In operating his vehicle in a negligent, grossly negligent, careless, reckless, willful, wanton and unlawful manner as to create a dangerous situation and render an accident inevitable, in utter disregard of the laws of the State of South Carolina;
- e) In failing to exercise that degree of care which a reasonable and prudent person would have exercised under the same or similar circumstances;
- f) In failing to yield;

any or all of which were the direct and proximate cause of the injuries and damages suffered by the Plaintiff herein, said acts being in violation of the laws of the State of South Carolina.

5. As a direct and proximate result of the negligent, grossly negligent, careless, reckless, wilful, wanton and unlawful acts of the Defendant, as described herein, Plaintiff has suffered serious physical bodily injury, emotional injury and mental anguish, all of which has caused and will continue to cause the Plaintiff to:

- a) experience severe physical pain and suffering;
- b) require medical attention;
- c) require pain killers and other medications;
- d) experience a limitation of motion;
- e) incur medical bills;
- f) experience mental pain, and mental anguish;
- g) experience loss of enjoyment of life;

all to her permanent damage and detriment.

6. As a direct and proximate result of all the above, Plaintiff has been grossly inconvenienced and unable to carry out her normal activities, and has been damaged in **ACTUAL DAMAGES** as follows:

- a) Pre-trial medical expenses;
- b) Post-trial medical expenses;
- c) Pre-trial physical pain and suffering, mental pain and suffering, mental anguish and shock;
- d) Post-trial physical pain and suffering, mental pain and suffering, mental anguish and shock;
- e) Loss of normal activity, and loss of enjoyment of life.

WHEREFORE, the Plaintiff prays for judgement against the Defendant for actual damages, for the costs and disbursements of this action, and for such other and further relief as this Court may deem just and proper.

**BLEDSON LAW FIRM**

s/ John W. Bledson, III

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Hartsville, South Carolina  
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